IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.17919 of 2000

Dated: 20-06-2007

Between:

Jai Bhavani Industries, Balanagar, Hyderabad,
rep. by its sole Proprietor Rajesh Agarwal,
s/o Chandrabhan Agarwal,
r/o Ameerpet,
Hyderabad.

... Petitioner

and

1. The Mandal Revenue Officer,
   Balanagar Mandal,
   Balanagar,
   Ranga Reddy District and another.

... Respondents

ORDER:

Petitioner states that he is the absolute owner of the land in an extent of Ac.1-17 gts. in Sy.Nos.107 and 108 situated at Fathenagar village, Balanagar Mandal and he established an industry as early as in 1964 and carrying on Steel Re-rolling Industry. However, when

respondents were trying to demolish the compound wall and the constructions belonging to his industry, to the extent of an area of 1,500 square yards running along the northern boundary, without any authority, he approached this Court and filed the present writ petition seeking a *mandamus* to declare the action of first respondent in demarcating the area belonging to him to the extent of 1,500 square yards on the northern side of his industry and trying to demolish the compound wall and the constructions, without giving notice and without enquiry, as arbitrary and illegal.

2. This Court, on 26-09-2000 while issuing *Rule nisi,* in W.P.M.P.No.22773 of 2000 directed respondents not to demolish the compound wall and the construction of petitioner industry located in Survey Nos.107 and 108 of Fathenagar village, Balanagar Mandal, Rangareddy District, until further orders.

3. Despite the fact that the notices were sent and received by respondents, respondents have not chosen to file any counter affidavits. Hence, this Court is of the view that the contention put forth by learned counsel for petitioner has to be accepted.

4. Accordingly, the writ petition is allowed and respondents are directed not to interfere with the possession of petitioner in an extent of Ac.1-17 gts. in Sy.Nos.107 and 108 without following the due process under law. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.20-06-2007
GLV